

IC 9-24-6.5

Chapter 6.5. Hazardous Material Endorsement Application and Renewal

IC 9-24-6.5-1

Act

Sec. 1. As used in this chapter, "act" refers to the federal Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act, Pub. L. 107-56, 115 Stat. 272 (2001).

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-2

Administration

Sec. 2. As used in this chapter, "administration" refers to the United States Department of Homeland Security, Transportation Security Administration.

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-3

Adoption of necessary rules and policies

Sec. 3. The bureau may adopt rules and policies necessary to fully implement the requirements of the act and the regulations adopted to implement the act.

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-4

Information required to be forwarded

Sec. 4. The bureau shall forward the information provided by an applicant for a hazardous material endorsement to the administration or another agency designated to receive the information if the bureau is required to forward the information under regulations adopted to implement the act.

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-5

Regulations; fees sufficient to offset costs

Sec. 5. The bureau may:

- (1) determine the cost to the state of procedures required to comply with regulations adopted to implement the act; and
- (2) charge a fee to applicants that is sufficient to offset the cost determined under subdivision (1).

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-6

Hazardous materials endorsement renewal; continuing validity; revocation

Sec. 6. (a) The hazardous materials endorsement of a driver who applies for renewal of the endorsement may remain valid after the date on which the endorsement would otherwise expire if both of the

following conditions are met:

- (1) The application for renewal was received by the bureau at least ninety (90) days before the date on which the endorsement expires.
- (2) On the date on which the endorsement expires, the bureau has not yet received the results of a background check conducted by the administration or another agency designated to conduct the background check.
- (b) Except as provided in subsection (c), an extension under subsection (a) is valid for ninety (90) days after the date on which the endorsement would otherwise expire.
- (c) Notwithstanding subsection (b), if the bureau receives information from the administration or another agency designated to conduct a background check that requires the bureau to revoke the hazardous materials endorsement of a driver, the bureau shall revoke the endorsement immediately upon receipt of the information.
- (d) An extension under subsection (a) may be renewed until:
 - (1) the bureau receives the results of a background check conducted by the administration or another agency designated to conduct the background check; or
 - (2) further extensions are barred under regulations adopted to implement the act.

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-7

Hazardous material endorsement denial or revocation; appeal procedure

Sec. 7. An applicant whose application for a hazardous materials endorsement is denied or whose hazardous materials endorsement is revoked under IC 9-24-6-11.5 may appeal the denial or revocation under IC 4-21.5 or, if other procedures are adopted by the administration or another agency of the United States, under the other procedures.

As added by P.L.48-2004, SEC.6.